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November 8, 2002  
Date of Signature

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PATENT  
CASE NO. 10711/4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application: )  
)  
James Brunner )  
) Group Art Unit: 2876  
)  
U.S. Patent Application )  
Serial No.: 09/779,903 )  
) Examiner: Labaze, Edwyn  
Filing Date: February 8, 2001 )  
)  
For: MACHINE AND PROCESS FOR )  
MANUFACTURING A LABEL )  
WITH A SECURITY ELEMENT )

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with Applicant's duty of disclosure under 37 C.F.R. § 1.56 and in conformance with 37 C.F.R. §§ 1.97-1.98, Applicant hereby submits the following references for consideration by the Examiner. In particular the requirements of 37 C.F.R. § 1.97(c) have been satisfied as shown by the enclosed payment of \$ 180 fee as set forth in 37 C.F.R. § 1.17(p).

Copies of the references are enclosed along with a completed copy of Form PTO-1449.

**I. DISCLOSURE**

**A. U.S. Patents**

| <b><u>Patent No.</u></b> | <b><u>Inventor</u></b> | <b><u>Issue Date</u></b> |
|--------------------------|------------------------|--------------------------|
| 2,449,972                | Beach                  | 09/28/48                 |
| 3,097,983                | Caulford et al.        | 07/16/63                 |
| 3,415,705                | Ettre                  | 12/10/68                 |
| 3,542,578                | Lang                   | 11/24/70                 |
| 3,636,408                | Shuman                 | 01/18/72                 |
| 3,757,164                | Binkowski              | 09/04/73                 |
| 3,913,219                | Lichtblau              | 10/21/75                 |
| 4,075,618                | Montean                | 02/21/78                 |
| 4,363,070                | Kisler                 | 12/07/82                 |
| 4,369,557                | Vandebult              | 01/25/83                 |
| 4,475,969                | Reed                   | 10/09/84                 |
| 4,660,025                | Humphrey               | 04/21/87                 |
| 4,694,283                | Reeb                   | 09/15/87                 |
| 4,717,438                | Benge et al.           | 01/05/88                 |
| 4,785,735                | Hamisch, Jr.           | 11/22/88                 |
| 4,802,944                | Benge                  | 02/07/89                 |
| 4,846,922                | Benge et al.           | 07/11/89                 |
| D 306,043                | Hickmott               | 02/13/90                 |
| 4,900,386                | Richter-Jørgensen      | 02/13/90                 |

| <b><u>Patent No.</u></b> | <b><u>Inventor</u></b> | <b><u>Issue Date</u></b> |
|--------------------------|------------------------|--------------------------|
| 4,910,499                | Benge et al.           | 03/20/90                 |
| 4,932,684                | Vermeulen              | 06/12/90                 |
| D 309,159                | Hickmott               | 07/10/90                 |
| 4,949,608                | Ward et al.            | 08/21/90                 |
| 4,954,814                | Benge                  | 09/04/90                 |
| D 311,215                | Hickmott               | 10/09/90                 |
| 4,967,185                | Montean                | 10/30/90                 |
| 4,972,616                | Doll                   | 11/27/90                 |
| 4,987,723                | Diemer                 | 01/29/91                 |
| 5,006,856                | Benge et al.           | 04/09/91                 |
| 5,076,011                | Stehouwer              | 12/31/91                 |
| 5,081,445                | Gill et al.            | 01/14/92                 |
| 5,083,112                | Piotrowski et al.      | 01/21/92                 |
| 5,091,052                | Nowak et al.           | 02/25/92                 |
| D 324,659                | Stehouwer              | 03/17/92                 |
| 5,146,204                | Zhou et al.            | 09/08/92                 |
| 5,151,684                | Johnson                | 09/29/92                 |
| 5,167,752                | Dowling                | 12/01/92                 |
| 5,170,712                | Stehouwer              | 12/15/92                 |
| 5,172,461                | Pichl                  | 12/22/92                 |
| 5,182,544                | Aquilera et al.        | 01/26/93                 |

| <b><u>Patent No.</u></b> | <b><u>Inventor</u></b> | <b><u>Issue Date</u></b> |
|--------------------------|------------------------|--------------------------|
| 5,184,111                | Pichl                  | 02/02/93                 |
| 5,200,243                | Van Veen               | 04/06/93                 |
| 5,284,689                | Laurash et al.         | 02/08/94                 |
| 5,294,068                | Baro et al.            | 03/15/94                 |
| 5,339,517                | Diemer                 | 08/23/94                 |
| 5,350,483                | Yager et al.           | 09/27/94                 |
| 5,388,748                | Davignon et al.        | 02/14/95                 |
| 5,388,749                | Davignon et al.        | 02/14/95                 |
| 5,394,293                | Grarovsky              | 02/28/95                 |
| 5,400,208                | Pazda et al.           | 03/21/95                 |
| 5,432,499                | Montean                | 07/11/95                 |
| 5,467,524                | Diemer                 | 11/21/95                 |
| 5,477,219                | Zarembo et al.         | 12/19/95                 |
| 5,494,550                | Benge                  | 02/27/96                 |
| 5,496,611                | Ikeda et al.           | 03/05/96                 |
| 5,512,125                | Momot et al.           | 04/30/96                 |
| 5,560,970                | Ludebuhl               | 10/01/96                 |
| 5,583,489                | Loemker et al.         | 12/10/96                 |
| 5,597,653                | Ikeda et al.           | 01/28/97                 |
| 5,614,278                | Chamberlain et al.     | 03/25/97                 |
| 5,645,932                | Uchibori               | 07/08/97                 |

| <b><u>Patent No.</u></b> | <b><u>Inventor</u></b> | <b><u>Issue Date</u></b> |
|--------------------------|------------------------|--------------------------|
| 5,660,663                | Chamberlain et al.     | 08/26/97                 |
| 5,736,967                | Kayser et al.          | 04/07/98                 |
| 5,747,192                | Hughen et al.          | 05/05/98                 |
| 5,751,256                | McDonough et al.       | 05/12/98                 |
| 5,830,571                | Mann et al.            | 11/03/98                 |
| 5,844,485                | Ryan, Jr.              | 12/01/98                 |
| D 402,863                | Hickmott               | 12/22/98                 |
| 5,858,143                | Bright et al.          | 01/12/99                 |
| 5,867,102                | Souder et al.          | 02/02/99                 |
| 5,954,907                | LaRose et al.          | 09/21/99                 |
| 5,961,228                | Ward et al.            | 10/05/99                 |
| D 427,639                | Hickmott               | 07/04/00                 |
| 6,092,449                | Ward et al.            | 07/25/00                 |
| D 428,445                | Hickmott               | 07/18/00                 |
| 6,123,796                | Kathmann et al.        | 09/26/00                 |

**B. Foreign Patents**

| <b><u>Reference No.</u></b> | <b><u>Country</u></b> | <b><u>Pub. Date</u></b> |
|-----------------------------|-----------------------|-------------------------|
| WO 85/02285                 | WIPO                  | 05/23/85                |
| 2 164 915                   | U.K.                  | 04/03/86                |
| 2 211 702                   | U.K.                  | 07/05/89                |
| 0 597 609                   | EP                    | 05/18/94                |

| <u>Reference No.</u> | <u>Country</u> | <u>Pub. Date</u> |
|----------------------|----------------|------------------|
| 42 38 145            | Germany        | 05/19/94         |
| WO 95/04853          | WIPO           | 02/16/95         |
| 0 680 011            | EP             | 11/02/95         |

**C. Literature**

1. “Various Advertisements and Articles,” Nutritional Outlook, March 2000, six pages, while the date of the publication is unknown, it is believed to have been published prior to February 8, 2001.

2. “Impulse Source Tagging Program Implementation Guide,” published by Checkpoint Meto, forty seven pages, while the date of the publication is unknown, it is believed to have been published prior to February 8, 2001.

3. “Universal Labeling Systems SL 2000 – Automatic High Speed Label Applicator,” published by Universal Labeling Systems, two pages, while the date of the publication is unknown, it is believed to have been published prior to February 8, 2001.

4. “Staticide Flyer,” published by ACL Staticide, two pages, while the date of the publication is unknown, it is believed to have been published prior to February 8, 2001.

5. “DC Series DC-duo Flyer,” published by Tantec, Inc., two pages, while the date of the publication is unknown, it is believed to have been published prior to February 8, 2001.

6. “Material Data Sheet for: SBL 2.5 pt.SC(42#) Tight Release Silicone Coated Liner,” published by Dunsirn Industrial, one page, while the date of the publication is unknown, it is believed to have been published prior to February 8, 2001.

## **II. DISCUSSION**

### **A. WIPO Patent Reference No. WO 95/04853**

Based solely on the drawings and the English language Abstract, the '853 patent reference is pertinent because it appears to disclose an identification label used to prevent garments from being shoplifted.

### **B. German Patent Reference No. 42 38 145**

Based solely on the drawings and the English language Abstract, the '145 patent reference is pertinent because it appears to disclose a method of producing a safety label by sticking a hard magnetic material and silicon paper onto a support film.

### **C. European Patent Reference No. 0 680 011**

Based solely on the drawings and the English language Abstract, the '011 patent reference is pertinent because it appears to disclose a method of producing a safety label by sticking a hard magnetic material and silicon paper onto a support film.

## **III. CONCLUSION**

It is believed that none of these references, alone or in combination, disclose or suggest the invention claimed. However, Applicant wishes to make it clear that the disclosure of the above references is in no way an admission that they qualify as prior art. It is Applicant's desire, however, to have these references available in the record for both the Examiner and the public to

see. Applicant therefore requests that the Examiner review the entire disclosure of each reference and make the above-listed references of record.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J.C. Freeman', written in a cursive style.

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